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Report of the Working Group on the Universal Periodic Review*

Armenia

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

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1. The Republic of Armenia supports Universal Periodic Review process as an effective tool commending states to improve their human rights situation and a real instrument for assessment of positive developments and challenges. At the same time Armenia appreciates a possibility of this process to share best practices and strengthening cooperation between countries.

2. All recommendations received by Armenia have been studied by the appropriating ministries and departments, therefore the final positions have been generated:

120.1. – **Supported partially**, a de facto moratorium on death penalty has been in place since 1990. According to the 2003 Criminal Code and the new Draft Criminal Code death penalty is not foreseen anymore.

120.2. – **Supported partially**, see 120.1.

120.3. – **Supported partially**, see 120.1.

120.4. – **Supported partially**, see 120.1, Rome Statute of the ICC – **Supported partially**; linked with the Constitutional reform.

120.5. – **Supported**, included in the Plan of Actions for the National Strategy on Human Rights Protection adopted by the decision of 27 February 2015.

120.6. – **Supported, see 120.5.**
Optional Protocol to the CRC on a Communication Procedure – **Supported partially**, an additional study regarding its compatibility with internal legislation is required.

120.7. – **Supported**, the ratification and editing of the Armenian text are underway.

120.8. – **Supported**, see 120.7.

120.9. – **Supported**, see 120.7.

120.10. – **Supported**, see 120.7.

120.11. – **Supported**, see 120.7.

120.12. – **Supported**, see 120.7.

120.13. – **Supported**, see 120.7.
Optional Protocol to the CRC on a Communication Procedure – **Supported partially**, see 120.6.

120.14. – **Supported partially.** Armenia can address the issue of ratification of the Optional Protocol to the Convention on the Rights of Persons with disabilities when legislation on equal opportunities for disabled persons will be fully developed and relevant measures implemented.

120.15. – Ratification of OP-CRPD – **Supported partially**, see 120.14.
Rome Statute of the ICC - **Supported partially**, see 120.4.

120.16. – **Supported partially**, see 120.4.

120.17. – **Supported partially**, see 120.4.

120.18. – **Supported partially**, see 120.4.

120.19. – **Supported partially**, see 120.4.

120.20. –**Supported partially**, see 120.4.

120.21. – **Supported partially**, see 120.4.

120.22. – **Supported partially**, see 120.4.

120.23. – **Supported partially**, taking into consideration the fact that there is no information in Armenia regarding the scope of the ILO Domestic Workers Convention; it is necessary to do appropriate research on the basis of which it will be possible to go ahead and formulate final position on this issue.

120.24. – **Supported,** appropriate steps will be carried out for signing the document; the issue of adoption of the standalone Law on Domestic Violence is under consideration.

120.25. – **Supported,** see 120.24.

120.26. – **Supported,** see 120.24.

120.27. – **Supported,** Armenia continues the implementation of judicial reforms.

120.28. – **Supported,** Armenian legislation prohibits illegal intervention in the activity of judges.

120.29. – **Supported, under implementation;** currently there are three regional offices. The Government increases financing of the Human Rights Defender Office year to year.

120.30. – **Supported,** see 120.29.

120.31. – **Supported,** civil society is Government's active partner in implementation of the Human Rights Strategy Action Plan.

120.32. – **Supported,** under implementation.

120.33. – **Supported,** under implementation.

120.34. – **Supported,** under implementation.

120.35. – **Supported,** under implementation.

120.36. – **Supported,** under implementation.

120.37. – **Supported,** under implementation.

120.38. – **Supported,** under implementation.

120.39. – **Supported,** under implementation.

120.40. – **Supported,** under implementation. Reforms in the field of secondary education aimed at improving the quality and availability of education are continuing; therefore allocation of financial resources for this field will be continued.

120.41. – **Supported,** under implementation.

120.42. – **Supported,** the state budget allocates financial resources for education of children of vulnerable groups. In particular, textbooks for learning mother tongue for national minorities are published, as well as vocational trainings for teachers are planned regularly.

120.43. – **Supported,** under implementation.

120.44. – **Supported**, Government has an ongoing dialogue with NGOs. NGOs have come up with many initiatives, including in the field of legislative reforms.

120.45. – **Supported;** process of timely submission of the reports to the relevant treaty bodies is monitored by the Government of the Republic of Armenia.

120.46. – **Supported;** Armenia submitted open invitations to the special procedures of the UN in 2006. Accordingly, any Special Rapporteur can visit Armenia.

120.47. – **Supported;** Principle of non-discrimination is Constitutional norm in the Republic of Armenia and is ensured by law and in practice.

120.48. – **Supported**; The Ministry of Justice of the Republic of Armenia has examined the compatibility of the Armenian legislation with the international legal norms on prohibition of discrimination, as well as discussed the necessity of the adoption of standalone legislation on "Combating discrimination" in 2014. Public consultations have been organized, results of which were submitted to the Government. The adoption of such legislation has been considered appropriate.

120.49. – **Supported**; see 120.48.

120.50. – **Supported**; see 120.48.

120.51. – **Supported**; see 120.48. On May 20, 2013, the National Assembly of the Republic of Armenia accepted law on "Ensuring equal rights and equal opportunities of women and men".

120.52. – **Supported**; Draft Law on "Protection of the Rights of Persons with Disabilities and the Social Inclusion" has been developed, which aims to integrate persons with disabilities into the society, being one of the requirements of the Convention. See also 120.48.

120.53. – **Supported**; under implementation, adoption of a standalone legislation is under consideration.

120.54. – **Supported**; see 120.48.

120.55. – **Supported**; see 120.48.

120.56. – **Supported**; see 120.48 and 120.51.

120.57. – **Supported**; large number of state financed programs are being implementing.

120.58. – **Supported, under implementation.**

120.59. – **Supported, under implementation.**

120.60. – **Supported**; under implementation. The Law on "Employment" that entered into force on January 1, 2014, considers women who have an under-three year old child in their care, as "out-of-competition" and they can be instantly engaged in the employment programs. A provision for "persons at risk of dismissal" has been introduced in this law with an aim of organizing training courses for people of the abovementioned group in order to prevent their possible dismissal.

120.61. – **Supported, under implementation.**

120.62. – **Supported, under implementation.**

120.63. – **Supported, under implementation.**

120.64. – **Supported, under implementation.**

120.65. – **Supported, under implementation.**

120.66. – **Supported partially;** the recommendation is not factually right; there are only very rare isolated cases of gender discrimination.

120.67. – **Supported, under implementation.**

120.68. – **Supported, under implementation.**

120.69. – **Supported, under implementation.**

120.70. – **Supported,** under implementation, see 120.51. There is a post of Advisor on Women's Issues in the Ombudsman's Office.

120.71. – **Supported.**

120.72. – **Supported**. Discrimination is prohibited by law.

120.73. – **Supported**. Draft amendments to the laws on "Reproductive health and Reproductive Rights of Person", on "Administrative Offences", "On Amending the Criminal Code of the Republic of Armenia" have been developed and put into circulation, according to which sex-based abortion is prohibited by law.

120.74. – **Supported, under implementation.** See 120.60.

120.75. – **Supported, under implementation.**

120.76. – **Supported partially;** provisions of the UN Security Council Resolution 1325 are being implemented.

120.77. – **Supported, under implementation.**

120.78. – **Not supported;** the recommendation contains erroneous information. There is no discriminatory treatment of ethnic minorities in Armenia.

120.79. – **Not supported;** the recommendation contains erroneous information.

120.80. – **Supported;** Legislation of the Republic of Armenia prohibits all forms of discrimination.

120.81. – **Supported;** see 120.80.

120.82. – **Not supported;** Adoption of a standalone law is not considered appropriate. The existing legislation prohibits all forms of discrimination.

120.83. – **Supported;** see 120.80.

120.84. – **Supported;** see 120.80.

120.85. – **Supported;** see 120.80.

120.86. – **Supported;** appropriate trainings are continuously organized and conducted regarding all forms of discrimination.

120.87. – **Supported, already implemented.**

120.88. – **Supported, already implemented.**

120.89. – **Supported, under implementation.** By the Draft Law on Amendments to the Criminal Code of the Republic of Armenia the legal definition of torture has already been brought in full compliance with Article 1 of the UN Convention against Torture and other Cruel and Inhuman or Degrading Treatment or Punishment. The mentioned law has been adopted by National Assembly in first reading on May 7 2015. The final adoption will be done according to the work plan of the National Assembly.

120.90. – **Supported**, see 120.89.

120.91. – **Supported**, see 120.89.

120.92. – **Supported,** see 120.89 and 120.24.

120.93. – **Supported,** see 120.89.

120.94. – **Supported, already implemented.**

120.95. – **Supported.**

120.96. – **Supported.**

120.97. – **Supported.**

120.98. – **Supported.**

120.99. – **Supported,**

120.100. – **Supported.** See 120.24.

120.101. – **Supported.**

120.102. – **Supported,** see 120.24.

120.103. – **Supported,** see 120.24.

120.104. – **Supported,** see 120.24.

120.105. – **Supported,** see 120.24.

120.106. – **Supported,** see 120.24.

120.107. – **Supported,** see 120.24.

120.108. – **Supported,** see 120.24.

120.109. – **Supported,** see 120.24.

120.110. – **Supported,** see 120.24.

120.111. – **Supported,** see 120.24.

120.112. – **Supported,** see 120.24.

120.113. – **Supported,** see 120.24.

120.114. – **Supported.**

120.115. – **Supported.** See 120.24.

120.116. – **Supported, under implementation**. Armenian Government approved the Concept for combating violence against children on December 4, 2014. The Concept defines the main directions and principles of state policy towards prevention, elimination and rehabilitation of the phenomenon of child abuse.

120.117. – **Supported, under implementation.** For the purpose of reforming national legislation, particularly bringing it in compliance with the European Social Charter (revised), provision of excluding corporal punishment of children has been foreseen in the Draft law on amendments of the Family Code of Armenia.

120.118. – **Not supported;** the recommendation contains erroneous information. There are no child soldiers in Armenia and have never been. Armenia has military service compulsory for male citizens who are at least 18 years old. Therefore, any child under 18 cannot be subject to military service and involved in any military activities.

120.119. – **Supported, already implemented.**

120.120. – **Supported, already implemented.**

120.121. – **Supported, already implemented.**

120.122. – **Supported, already implemented.**

120.123. – **Supported, already implemented.**

120.124. – **Supported, already implemented.**

120.125. – **Supported, already implemented.**

120.126. – **Supported, already implemented.**

120.127. – **Supported, already implemented.**

120.128. – **Supported, already implemented.**

120.129. – **Supported.** Significant steps have already been implemented in this direction. Particularly, the methods of appointment of judges, their evaluation, promotion and disciplinary actions have been improved.

120.130. – **Supported**, see 120.129.

120.131. – **Supported**, see 120.129.

120.132. – **Supported**, under implementation.

120.133. – **Supported**, under implementation.

120.134. – **Supported partially;** there is a need for additional internal consultations and hearings.

120.135. – **Supported**, under implementation.

120.136. – **Supported**, under implementation.

120.137. – **Supported**, under implementation.

120.138. – **Supported**, under implementation.

120.139. – **Supported,** under implementation.

120.140. – **Not supported;** the recommendation contains ambiguous wording. In any case of violation of freedom of expression in Armenia, impartial and transparent investigations are carried out in the manner prescribed by law.

120.141. – **Supported**. Cases of violence against journalists, as well as against any citizen of the Republic of Armenia are investigated in the manner prescribed by law.

120.142. – **Supported**, under implementation.

120.143. – **Supported**, see 120.141.

120.144. – **Supported**, see 120.141.

120.145. – **Supported**, see 120.141.

120.146. – **Supported**, see 121.141.

120.147. – **Supported**, see 121.141.

120.148. – **Supported**, see 121.141.

120.149. – **Supported**, see 121.141.

120.150. – **Supported,** see 121.141.

120.151. – **Supported,** under implementation.

120.152. – **Supported,** all amendments to the "Law on NGOs" and other associated laws are discussed also with the civil society representatives.

120.153. – **Supported,** under implementation.

120.154. – **Supported,** under implementation.

120.155. – **Supported.**

120.156. – **Supported,** under implementation.

120.157. – **Supported,** under implementation.

120.158. – **Supported,** under implementation.

120.159. – **Supported, already implemented** through the "Law on Employment" of Armenia adopted in 2014.

120.160. – **Supported,** under implementation.

120.161. – **Supported,** under implementation.

120.162. – **Supported.** In all regional centers of Armenia medical centers with modern equipment have already been constructed, ambulance service has been modernized enabling the provision of a specialized (stationary) medical aid and services for the rural population. This activity is ongoing.

120.163. – **Supported.**

120.164. – **Supported.** Armenia will continue the introduction of international health norms and standards relating, *inter alia*, to the response to the situations of international significance in the sphere of public health, organization of systemic and multisectoral works, improvement of legislation and installation of comprehensive laboratory network.

120.165. – **Supported,** under implementation.

120.166. – **Supported.** Armenian Government will continue to improve education opportunities for children from vulnerable groups. Number of beneficiaries of academic pensions increases annually.

120.167. – **Supported.** Legislative changes are underway which are in conformity with the requirements of the Convention on People with Disabilities.

120.168. – **Supported,** under implementation.

120.169. – **Supported,** under implementation. Number of schools with inclusive education gradually increases. Transition to the system of comprehensive inclusive education will be realized in 2022. Systemic reforms in the area of special education will also be carried out.

120.170. – **Supported,** under implementation.

120.171. – **Supported,** under implementation.

120.172. – **Supported,** under implementation.

120.173. – **Supported,** under implementation.

120.174. – **Supported,** under implementation. In order to ensure the right of education for children from vulnerable groups, financing is provided from the state budget. Particularly, projects for training of teachers and publication of textbooks in mother tongue for children from national minorities is implemented. Reforms in the area of special education will be conducted continuously.

120.175. – **Supported,** under implementation.

120.176. – **Supported,** under implementation.

120.177. – **Supported,** under implementation.

120.178. – **Supported,** under implementation. See 120.174.

120.179. – **Supported,** under implementation.

3. Armenia **rejects** the recommendations 121.1, 121.2, 121.3, 121.4, 121.5, 121.6, 121.7, 121.8, 121.9, 121.10 submitted by Azerbaijan, who perpetrated policy of mass atrocities and ethnic cleansing against the Armenian population on the entire territory of Azerbaijan, particularly in Sumgait (February 1988), Baku (January 1990), Kirovabad (November 1988) and other Armenian-populated cities, towns and villages. As a result of such a policy hundreds of thousands of Armenians were forced to abandon their places of residence and become refugees. Since then Azerbaijan has been systematically and openly pursuing the policy of war mongering, ethnic and religious hatred and xenophobia against Armenians all over the world, including through glorification of persons convicted of manslaughter. Azerbaijan uses UN mechanisms including UPR process for disseminating false and biased information on Armenia and Armenian people thus violating the letter and the spirit of this process. Azerbaijan rejected the right of the people of Nagorno Karabakh to self determination through use of military force and up to now resorts to the subversive actions and targeting civilian population.